

3746

60298-038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Loprete

Serial No 09/090,358

Filed: June 04, 1998

Examiner: Gray, Michael Kuhn

Group Art Unit: 3746

For: SCROLL COMPRESSOR WITH MOTOR CONTROL FOR CAPACITY
MODULATION

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APR 22 2004

TECHNOLOGY CENTER R3700

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests that the holding of abandonment for the subject application be withdrawn. A notice of abandonment mailed March 31, 2004 improperly indicated that no formal drawings were received prior to the due date of February 3, 2004. These drawings along with the issue fee were filed by Applicant on January 5, 2004.

Enclosed with this petition is a copy of the Letter to the Official Draftsman along with the 3 sheets of formal drawings. The letter includes the proper certificate of mailing stating that the letter was deposited with the United States postal service on January 5, 2004.

Further, enclosed is a copy of the Post card receipt dated as received by the Patent office on January 12, 2004. The Post card receipt indicates that the Issue Fee transmittal, letter to the official draftsman and 3 sheets of formal drawings were received by the Patent office on January 12, 2004.

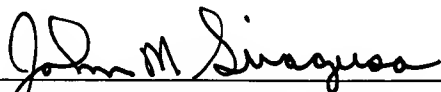
Further enclosed with this petition is a copy of the Issue Fee Transmittal also submitted on the same date. The issue fee payment was recorded on January 12, 2004 as is indicated by the Patent Application Information Retrieval system, a print out of which is enclosed.

As is evidenced by the copies of the post card receipt and the mailing certificate, the required formal drawings were submitted and received by the Patent office prior to the due date of February 3, 2004. For these reasons, and supported by the enclosed documents, Applicant requests that the application be withdrawn from abandonment and the patent proceed to grant.

Applicant believes that no additional fees are due, however, if any additional fees are required please charge our deposit account No. 50-1482 in the name of Carlson, Gaskey & Olds. If any further information is required and a teleconference will facilitate moving this case forward please contact Applicant's representative at the number indicated below.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.




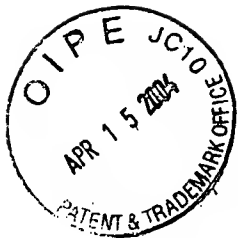
JOHN M. SIRAGUSA
Registration No. 46,174
Attorneys for Applicant
CARLSON, GASKEY & OLDS, P.C.
400 West Maple Road, Suite 350
Birmingham, Michigan 48009
(248) 988-8360

Dated: April 13, 2004

CERTIFICATE OF MAIL

I hereby certify that the enclosed Petition to Withdraw Holding of Abandonment, copies of the Letter to the Official Draftsman, 3 sheets of formal drawings, Issue Fee Transmittal, and a copy of the return receipt postcard are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 13, 2004.


Amy M. Spaulding



Carlson, Gaskey & Olds, P.C.
ASSISTANT COMMISSIONER OF PATENTS
Please confirm receipt of the document(s) checked below by stamping and returning this card to **PATENTS**

Inventor / Applicant: Loprete
Date: 1-5-04 Attorney: JMS File No.: 60298-038

☐ New Patent Application:

☐ CON ☐ CIP ☐ DIV ☐ Provisional ☐ PCT

Page(s) Specification _____
Page(s) Abstract _____

☐ Transmittal Sheet
☐ IDS
☐ Assignment
☒ Certificate of Express Mail
☐ Response / Amendment

☒ Issue Fee Transmittal
☐ Certificate of Correction

☐ PCT Request

Other: Letter to Official Draftsman
3 sheets of formal drawings

Fee: \$ 1300

☐ Executed Declaration & Power of Attorney
☐ PTO 1449
☐ Recordation Cover Sheet
☐ Notice of Appeal
☐ Extension of Time
☐ Change of Fee Address
☐ Priority Document
☐ General Power of Attorney

☐ Small Entity Declaration
☐ Parent Copies
☐ Fee Calculation Sheet
☐ Appeal Brief
☐ Make of Record Letter
☐ Maintenance Fee Transmittal
☐ Response to Invitation

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JAN 16 2004

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